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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)	NO. 09-CR-01063 CW
)	
Plaintiff,)	ORDER TO DETAINING DEFENDANT
)	SHELDON DEWAYNE JACKSON
v.)	
)	
SHELDON DEWAYNE JACKSON,)	Date: October 31, 2014
)	Time: 9:30 a.m.
Defendant.)	Court: Hon. Kandis A. Westmore

Defendant Sheldon Dewayne Jackson is charged in a petition with violating the conditions of his supervised release. The defendant first appeared on the petition on October 31, 2014, pursuant to an arrest warrant.

At his initial appearance regarding the revocation of supervised release, the United States requested that the defendant be detained, pursuant to Rule 32.1(a)(6) of the Federal Rules of Criminal Procedure and 18 U.S.C. § 3143(a)(1). Following consideration of the Presentence Investigation report, the petition filed in this case, and the proffers by both parties and the United States Probation Officer, the Court ordered the defendant detained, finding the defendant had not met his burden of showing by clear and convincing evidence that the defendant will not flee or pose a danger to any other person or to

1 the community, as required by Rule 32.1(a)(6) of the Federal Rules of Criminal Procedure and 18
2 U.S.C. § 3143(a)(1). The Court noted that there were no condition or combination of conditions in 18
3 U.S.C. § 3142(c) that will reasonably assure the appearance of the defendant as required and the safety
4 of any other person and the community. In particular, the Court noted the defendant's continual
5 disregard for the conditions of his supervised release by absconding from the residential reentry center
6 where he was ordered to remain for a period of five months pursuant to the order signed by the
7 Honorable Claudia Wilken on August 28, 2014, modifying the conditions of his supervised release.

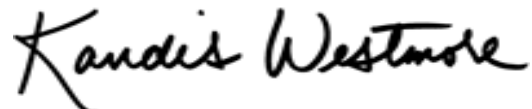
8 Moreover, this is Defendant's fourth Form 12. Prior Forms 12 involved Defendant being arrested
9 for committing another crime, including domestic violence, testing positive for methamphetamines and
10 marijuana, and being unsuccessfully discharged from inpatient drug treatment programs. Defendant's
11 proposal that the court release him to reside with his girlfriend is unacceptable because his girlfriend was
12 the victim in his earlier domestic violence matter.

13 Defendant is ordered detained as the defendant had not met its burden of showing by clear and
14 convincing evidence that the defendant will not flee or pose a danger to any other person or to the
15 community, as required by Rule 32.1(a)(6) of the Federal Rules of Criminal Procedure and 18 U.S.C. §
16 3143(a)(1). Further, no condition or combination of conditions in 18 U.S.C. § 3142(c) will reasonably
17 assure the appearance of defendant as required and the safety of any other person and the community.

18 Defendant is committed to the custody of the Attorney General or a designated representative for
19 confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving
20 sentences or held in custody pending appeal. *See* 18 U.S.C. § 3142(i)(2). Defendant must be afforded a
21 reasonable opportunity to consult privately with counsel. *See* 18 U.S.C. § 3142(i)(3). On order of a
22 court of the United States or on request of an attorney for the government, the person in charge of the
23 corrections facility must deliver defendant to the United States Marshal for a court appearance. *See* 18
24 U.S.C. § 3142(i)(4).

25 IT IS SO ORDERED.

26 Dated: November 17, 2014

27 

28 HON. KANDIS A. WESTMORE
United States Magistrate Judge